

State of Minnesota**District Court**

County

Judicial District: _____

Court File Number: _____

Case Type: Housing_____
Plaintiff (Tenant)

VS.

**Counterclaim For Possession
of Premises and Notice of Hearing
(Minn. Stat. §504B.385, subd. 2)**_____
Defendant (Landlord)

NOTICE TO TENANT: Your landlord is asking the court to evict you.

I, _____ am the: (check one) ☐ Landlord
(Name)☐ Person with power of authority filed and state upon oath/affirmation:1. Landlord leased or rented to tenant(s) on _____ by an ☐ oral ☐ written
Dateagreement the premises at: _____
Street Apt. City State Zip CodeThe agreement was from _____ to _____. The current rent
due and payable under this agreement each month is \$ _____ due on the _____ day
Amount Date
of each month.

Tenant(s) date(s) of Birth: (if known) _____

2. The landlord of the premises described above is _____.

3. The plaintiff is still in possession of the premises.

4. Plaintiff(s) filed a rent escrow action and deposited with the Court \$ _____.
("none" or \$ amount)

5. Plaintiff(s) failed to deposit the full amount of rent due and owing on the date of the deposit.

On the date of the deposit with the court, plaintiff(s) owed a total of \$ _____

in rent as follows: \$ _____ per month due for _____ months.

6. Defendant, having the present right of possession of the property, has complied with Minn. Stat.
§504B.181 by:

- ☐ a. disclosing to tenant either in rental agreement or otherwise in writing prior to the start of the tenancy the name and address of:
1. the person authorized to manage the property; **AND**
 2. the landlord or agent authorized by landlord to accept service of process and receive and give receipt for notices and demands; **AND**
- ☐ b. posting in a conspicuous place on the property a printed or typewritten notice containing the above information _____
(where posted)

OR

- ☐ c. the above information was known by tenant(s) not less than 30 days before the filing of this action because: _____
_____.

7. The defendant seeks judgment against the plaintiff(s) for restitution of the premises plus costs and disbursements.

Dated: _____

Signature (Sign only in front of notary public or court administrator.)

Name: _____

Sworn/affirmed before me this

Address: _____

_____ day of _____, _____.

City/State/Zip: _____

Telephone: (_____) _____

Notary Public \ Deputy Court Administrator

HEARING DATE: IMPORTANT NOTICE TO PARTIES

TENANT: You must appear before the court or you could be evicted.

_____ The Rent Escrow Hearing, previously set for _____ is continued and consolidated with the counterclaim and will be heard on _____, at _____,
Date Time

Location

OR

_____ The Rent Escrow Hearing and counterclaim are consolidated and will be heard on _____, at _____,
Date Time Location

Note: Landlord is responsible for having a third party serve a copy of this Counterclaim on tenants(s) at least 7 days before the hearing date. Service must be made in the manner specified in Minn. Stat. §504B.331. See Minn. Stat. §504B.385, subd. 2(d).